

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PENNSYLVANIA MANUFACTURERS’ :
ASSOCIATION INSURANCE COMPANY :
AND :
PMA MANAGEMENT CORP. :
Plaintiffs, :
: :
v. : **CIVIL ACTION**
: **No. 21-1892**
: :
ESHAI CORPORATION, dba COURIER :
DISTRIBUTION SYSTEMS, LLC AND :
COURIER DISTRIBUTION SYSTEMS, :
LLC :
Defendants. :

ORDER

This 2nd day of March, 2022, upon consideration of Plaintiffs’ Motions and Defendants’ Responses, it is hereby **ORDERED** that:

- 1) Plaintiffs' Motion for Leave to File an Amended Complaint (ECF #20) is **GRANTED**;
- 2) Plaintiffs' Motion for Extension of Time to Join Additional Defendants (ECF #21) is **GRANTED** and the deadline for joinder of additional parties is extended to March 9, 2022; and
- 3) Plaintiffs' Motion to Compel and to Strike Defendants' Objections to Subpoena (ECF #22) is **GRANTED**. To the extent not previously produced, Defendants shall produce all responsive documents. If there are no other responsive documents, Defendants shall attest to this under oath. With respect to the subpoena of Wilson Lewis, Defendants allege that the subpoena is ineffective pursuant to Fed. R. Civ. P. 45(c)(2). Federal Rule

of Civil Procedure 45 places “geographical limitations on the reach of a court’s subpoena power[.]” *Audi of Am., Inc. v. Bronsberg & Hughes Pontiac, Inc.*, 2017 WL 1471491, at *2 (M.D. Pa. Apr. 25, 2017). Rule 45(c)(2)(A), in turn, states that a subpoena may command the production of documents, electronically stored information or tangible things at a place within 100 miles of where the person (1) resides, (2) is employed or (3) regularly transacts business in person. To the extent that the Defendants argue that the subpoena violates the 100-mile rule, Defendants have not alleged that Wilson Lewis does not transact business in Pennsylvania. To the extent that Wilson Lewis seeks to challenge the subpoena, it may do so under F. R. Civ. P. 45(c)(2)(B) which allows a non-party to object to the issuance of the subpoena.

/s/ Gerald Austin McHugh
United States District Judge